

Alan S. Wolf, Bar No. 94665  
Daniel K. Fujimoto, Bar No. 158575  
THE WOLF FIRM, A Law Corporation  
2955 Main Street, Second Floor  
Irvine, CA 92614  
Tel: (949) 720-9200  
Fax: (949) 608-0128

Attorneys for Movant  
U.S. Bank National Association, as trustee, on behalf of the  
holders of the Asset Backed Securities Corporation Home  
Equity Loan Trust, Series MO 2006-HE6 Asset Backed Pass-  
Through Certificates, Series MO 2006-HE6

**UNITED STATES BANKRUPTCY COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

In Re:	)	CASE: 10-50396RLE-13
	)	
LIZ JANETH ANGELES aka LIZ JANETH	)	CHAPTER 13
PADILLA ANGELES aka LIZ PADILLA dba	)	
ANGELES TOWING	)	REF.: ASW-680
	)	
Debtor.	)	MOTION FOR RELIEF FROM
	)	THE AUTOMATIC STAY AND
	)	DECLARATION OF JO-ANN
	)	GOLDMAN IN SUPPORT
	)	THEREON
	)	
	)	DATE: 03/31/10
	)	TIME: 10:00am
	)	CTRM: 3099
	)	U.S. Bankruptcy Court
	)	280 S. First Street
	)	San Jose, California

The Motion of U.S. Bank National Association, as  
trustee, on behalf of the holders of the Asset Backed  
Securities Corporation Home Equity Loan Trust, Series MO  
2006-HE6 Asset Backed Pass-Through Certificates, Series MO  
2006-HE6 respectfully shows as follows:

1. This Court has jurisdiction over this proceeding  
pursuant to 28 U.S.C. Sections 157 and 1334.

1           2. On January 17, 2010, a petition under Chapter 13 of  
2 the Bankruptcy Code was filed by the Debtor. Pursuant to 11  
3 U.S.C. § 362(d)(4), Debtors' filing of the petition was part  
4 of a scheme to delay, hinder, and defraud creditors that  
5 involved multiple bankruptcy filings affecting the Property  
6 and the transfers of all or part ownership of, or other  
7 interest in the Property without the consent of Movant or  
8 court approval.

9           3. The Debtor's Chapter 13 Plan has not yet been  
10 confirmed.

11           4. DEVIN DERHAM-BURK is the Chapter 13 Trustee for  
12 this case.

13           5. Movant is, and at all times herein mentioned was a  
14 corporation organized and existing under the laws of the  
15 United States.

16           6. Movant is the beneficiary under a Deed of Trust by  
17 way of assignment which secures a Promissory Note ("Note")  
18 in the principal sum of \$594,000, with the Note all due and  
19 payable on September 1, 2036. The Note and Deed encumber  
20 real property commonly known as:

21           20723 Arline Avenue, Units A, B & C, Lakewood, CA 90715  
22           ("Property")

23           and legally described as set forth in the Deed of Trust,  
24           which is attached to the Declaration of JO-ANN GOLDMAN.

25           7. The beneficial interest under the Deed of Trust is  
26           currently held by Movant by way of assignment. See  
27           Declaration of JO-ANN GOLDMAN.

1           8. There was a default under the terms of the Note and  
2 Deed of Trust and on May 9, 2008, Movant caused to be  
3 recorded a Notice of Default and Election to Sell.

4           9. On January 5, 2009, Movant caused to be recorded a  
5 Notice of Sale.

6           10. On July 6, 2009, a Trust Transfer Grant Deed was  
7 executed and recorded which transferred interest in the  
8 subject property from Luis R. Campos to Luis R. Campos,  
9 Edwin Rodriguez and Liz Angeles as Co-Trustees of the 20723  
10 Arline Ave Trust. At the time this deed was executed, Liz  
11 Angeles was in an active Chapter 13 bankruptcy which she had  
12 filed with this Court on June 26, 2009, case number 09-  
13 55111. The case was dismissed on August 13, 2009 for  
14 failure to file documents and was closed on September 25,  
15 2009.

16           11. On September 8, 2009, another Trust Transfer Grant  
17 Deed was recorded which transferred interest in the subject  
18 property from Luis R. Campos to Luis R. Campos, Edwin  
19 Rodriguez and Ramses Garcia as Co-Trustees of the 20723  
20 Arline Ave Trust. At the time this deed was executed, Ramses  
21 Garcia was in an active Chapter 13 bankruptcy which he had  
22 filed in the Los Angeles Division Central District  
23 bankruptcy court on August 28, 2009, case number 09-33125.  
24 The case was dismissed on November 2, 2009 and closed on  
25 January 20, 2010.

26           12. On August 31, 2009, Liz Angeles filed another  
27 Chapter 13 bankruptcy with this Court, case number 09-57309.

1 On November 20, 2009, Creditor filed a Motion for Relief  
2 from Stay which set a hearing for December 8, 2009. The  
3 case was dismissed on December 7, 2009 for debtors' failure  
4 to file documents but the hearing on the Creditor's motion  
5 was still held and Creditor's motion was granted. However,  
6 the case was closed on December 29, 2009 before Creditor's  
7 order granting relief was entered.

8 13. On January 19, 2010, a third Trust Transfer Grant  
9 Deed was executed which transferred interest in the subject  
10 property from Luis R. Campos to Luis R. Campos, Edwin  
11 Rodriguez and Roderick S. Serrato as Co-Trustees of the  
12 20723 Arline Ave Trust. At the time this deed was executed,  
13 Roderick S. Serrato was in an active Chapter 13 bankruptcy  
14 which he had filed in the Oakland Division of this Court on  
15 January 11, 2010, case number 10-40266. The case was  
16 dismissed on January 28, 2010.

17 14. The Property is not Debtor's principal residence.

18 15. At the time of the filing of this case, the pre-  
19 petition arrearages under the Note and Deed of Trust were  
20 approximately \$108,498.18.

21 16. Since the time of the filing of the instant case,  
22 and as of March 4, 2010, the Debtor has failed to tender 2  
23 of the post-petition payments which have fallen due. In  
24 fact, the Debtor has failed to tender the February 1, 2010  
25 through March 1, 2010 post-petition payments. Further  
26 monthly payments in the amount of \$4355.66 will continue to  
27 accrue.

1           17. The total amount due under Movant's Note and Deed  
2 of Trust as of March 4, 2010, exclusive of post-petition  
3 attorneys fees and costs, was approximately \$701,123.45.

4           18. The Debtor has no reasonable prospect for  
5 reorganization and the Property is not necessary for an  
6 effective reorganization.

7           19. Movant does not have, and has not been offered,  
8 adequate protection for its interest in the Property and the  
9 passage of time will result in irreparable injury to  
10 Movant's interest in the Property including, but not limited  
11 to, loss of interest and opportunity.

12           20. For all the reasons set forth herein, there is  
13 cause for relief from stay including, but not limited to,  
14 lack of adequate protection and the Debtor's failure to make  
15 the required Deed of Trust payments.

16           WHEREFORE, Movant prays for the judgment against  
17 Respondents as follows:

18           (1) That the automatic stay be terminated so that  
19 Movant may exercise or cause to be exercised any and all  
20 rights under the Note and/or Deed of Trust and any and all  
21 rights after the foreclosure sale, including, but not  
22 limited to, the right to consummate foreclosure proceedings  
23 on the property and the right to proceed in unlawful  
24 detainer;

25           (2) For reasonable attorneys' fees as a secured claim  
26 under 11 U.S.C. Section 506(b);  
27

1           (3) That any relief from stay granted Movant be deemed  
2 binding and of full force and effect in any pending or  
3 future case filed by any entity that claims any interest in  
4 the property;

5           (4) For a finding that the filing of the petition was  
6 part of a scheme to delay, hinder and defraud creditors that  
7 involved the transfer of all or part ownership of, or other  
8 interest in, the Property without the consent of the secured  
9 creditor or court approval and multiple bankruptcy filings  
10 affecting the Property, and that as such, if recorded in  
11 compliance with applicable state laws governing notices of  
12 interest or liens in the Property, this Order is binding and  
13 effective under 11 U.S.C. § 362(d)4(A) and (B) in any other  
14 bankruptcy case purporting to affect the Property filed not  
15 later than two (2) years after the date of entry of this  
16 Order, except that a debtor in a subsequent bankruptcy case  
17 may move for relief from this Order based upon changed  
18 circumstances or for good cause shown, after notice and a  
19 hearing. Any federal, state or local governmental unit that  
20 accepts notices of interests or liens in real property shall  
21 accept a certified copy of this Order for indexing and  
22 recording;

23           (5) For the waiver of the 14 day stay pursuant to  
24 Bankruptcy Rule 4001(a)(3).

25           (6) For reasonable attorneys' fees and costs;

26           (7) For costs incurred or expended in suit herein; and  
27

1 (8) For such other and further relief as the Court  
2 deems just and proper.

3 Dated: March 12, 2010

4 /s/ Alan Steven Wolf

5 ALAN STEVEN WOLF

6 Attorneys for Movant

7 U.S. Bank National Association, as  
8 trustee, on behalf of the holders of  
9 the Asset Backed Securities  
10 Corporation Home Equity Loan Trust,  
11 Series MO 2006-HE6 Asset Backed  
12 Pass-Through Certificates, Series MO  
13 2006-HE6  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27